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SUBJECT: MINISTER OF JUSTICE TALKS ABOUT PROSECUTIONS AND HUMAN RIGHTS

REF: CONAKRY 0087

1.(SBU) SUMMARY. In a meeting with the DCM, Minister of Justice Noholoamou expressed despair over the impoverished state of his ministry. A recent series of high profile drug-trafficking arrests has placed him in the unenviable position of prosecuting these cases with no budget and no institutional knowledge of how to proceed. The Minister said that protecting the defendants, human rights was extremely important and dismissed concerns about the recent "shoot on sight" pronouncements of President Dadis, calling them "a figure of speech." END SUMMARY.

ONE BRIGHT SPOT

2.(SBU) DCM met with the Minister of Justice, Colonel Siba Noholoamou, 26 February at the Ministry of Justice. Receiving the DCM in his army fatigues, the Minister seemed relaxed, friendly and focused. He accepted the DCM's congratulations on the government of Guinea's recent apprehension of the primary suspect involved in the sexual assault and armed robbery of a Peace Corps Volunteer in August 2008. The suspect, who had received protection from a regional police commissioner, had been at large for several months. To ensure the minister had the correct facts and names of individuals involved in the case, the DCM left a copy of the USG's original demarche delivered to two previous ministers of justice protesting the behavior of the police commissioner and encouraging a wide and active search for the suspect. Noholoamou acknowledged the DCM's gratitude noting that everyone's work was not finished until the suspect went to trial, but that the case was moving in the right direction.

CONTINUING DRUG ARRESTS

13. (SBU) The DCM then discussed the series of drug-related arrests, including on 25 February, of late President Conte's son, Ousmane Conte, widely regarded as a drug kingpin in Guinea. Noholoamou confirmed that Ousmane was behind bars and divulged that many more arrests would take place. He also stated that they had received new information regarding a small plane load of drugs that had been seized last year in the regional capital of Boke.

PROTECTION OF HUMAN RIGHTS

14. (SBU) The DCM urged the Minister to protect human rights, including those individuals accused of drug-trafficking crimes. The Minister shared the DCM's views and reiterated that he did not wish to see the narco-traffickers set free in appellate court due to any mistreatment while incarcerated. He stated that he had personally instructed that these prisoners receive medical care, three meals daily, and visits from lawyers and family. (Comment. According to the 2008

Human Rights Report, such treatment would be unusual as most prisoners receive little to no medical treatment, nor more than one meal a day, and are often denied access to visitors. End comment.)

WE,RE BROKE

5. (SBU) When asked how the MOJ would proceed on these drug cases, Noholoamou said he would like technical advice from the U.S. on how poor countries such as Guinea can successfully prosecute drug traffickers who are sure to have savvy lawyers. The Minister ruefully admitted that the Ministry of Justice is completely broke and does not even have a vehicle to transport prisoners from the jails to the court. "How can you put a fat cat drug trafficker in front of a judge who can't even buy a bicycle?" he asked dejectedly. "This is a recipe for corruption." He said, however, that his ministry was ready to proceed. "We will know when a judge makes a bogus decision, and we'll put him in jail."

SHOOT TO KILL?

16. (SBU) Returning to human rights, the DCM then asked the Minister about President Dadis, recent pronouncements that anyone caught drug trafficking, laundering money or trafficking in persons would be shot on sight (reftel). The Minister softly chuckled, dismissed these concerns and said this was just a "figure of speech" to let the public know how seriously the President regarded these crimes. They were not to be taken literally.

CONAKRY 00000138 002 OF 002

REQUESTS ASSISTANCE

17. (SBU) The Minister requested the USG's assistance and expertise in combating the drug trade and mentioned a meeting scheduled for that afternoon with President Dadis to discuss prosecution of drug traffickers. That meeting had been raised earlier that morning by the Minister for Special Services, Anti-Narcotics and Organized Banditry, while talking with the RSO. The Charge determined then that neither the DCM nor the RSO would attend the meeting with Dadis, in accordance with USG stated policy toward the military junta. When the DCM explained our non-participation, the Minister expressed disappointment, but said that he understood.

COMMENT

18. (SBU) Minister of Justice Nololoamou gave the impression of being an intelligent, soft-spoken and serious man. His downtown office was rundown and crowded with individuals milling outside of his door seeking favors. He seemed frustrated by the impoverished condition of his Ministry, worried about corrupt judges and prisoners receiving the most basic services, as well as how to proceed successfully with the high profile cases coming his way. He appeared at a loss over how to overcome the problem of a corrupt judiciary. His comments and concerns echoed those of the two ministers who held the position before him. The MOJ is one of the most under-funded ministries in the Guinean government. Despite the CNDD's public crack-down on narcotics trafficking and corruption, justice is unlikely to be served without significant investment and judicial reform.

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